

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND
COMPOUNDING PHARMACY, INC.
PRODUCTS LIABILITY
LITIGATION

Master File No: 1:13-MD-2419-RWZ

This document relates to:

GLADYS G. AUSTIN, RICHARD
BLANKENSHIP, CHERYL
BROGAN, KIMBERLY CHITWOOD,
CHRISTOPHER COMPTON,
SHIRLEY DOYLE, RENATE
FARISS, NANCY GOODFELLOW,
NORMA HURLEY, MABEL
HUTCHERSON, ARNOLD MOON,
ROSEANNE MOON, SHARON
OVERSTREET, MARY RADFORD,
AUDREY RANSOME,
NOSWORTHY REID, LARRY
HALL, FRANK HARANZO, JR.,
SUSANNE HASTINGS, JACOB
HELM, STUART KATZ, MELISSA
MARSHALL, JOHN MARSINKO,
JANE MCKEON, ANGELA
NORMAN, LARRY RICE, DEANNA
SMITH, STEVIE THOMAS,
BRENDA VARLEY, CHRISTINE
WHEELER, ,

Plaintiffs,

v.

INSIGHT HEALTH CORP., IMAGE
GUIDED PAIN MANAGEMENT,
P.C., JOHN M. MATHIS, M.D.,
ROBERT F. O'BRIEN, M.D.,

Defendants

No. 1:14-cv-13504-RWZ

Motion for Partial Judgment on the Pleadings and Request for Oral Argument

COME NOW Image Guided Pain Management, P.C., John M. Mathis, M.D., Robert F. O'Brien, M.D. (collectively "IGPM"), by counsel, and pursuant to Federal Rule of Civil Procedure 12(c) and Local Rule 7.1 move for judgment on the pleadings on Count I (Battery), Count IV (VCPA), Count V (Negligence Per Se). The arguments and authorities in support of this motion are set forth in Defendants' Consolidated Memorandum in Support of Motion for Partial Judgment on the Pleadings, being filed contemporaneously herewith.

In addition, pursuant to Local Rule 7.1(d), IGPM requests that the Court reserve a date for oral argument of the above-referenced dispositive motion.

IMAGE GUIDED PAIN MANAGEMENT, P.C.,
JOHN M. MATHIS, M.D., ROBERT F. O'BRIEN,
M.D.

/s/ John T. Jessee

Of Counsel

John T. Jessee (Va. Bar #18745)
LeClairRyan, A Professional Corporation
1800 Wells Fargo Tower, Drawer 1200
Roanoke, Virginia 24006
(540) 510-3037
FAX: (540) 510-3050
john.jessee@leclairryan.com

*Counsel for Image Guided Pain
Management, P.C., John M. Mathis,
M.D., Robert F. O'Brien, M.D.*

CERTIFICATE OF SERVICE

I certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing dated August 27, 2014.

/s/ John T. Jessee
John T. Jessee